

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JONATHAN LEE RICHES,
Petitioner,
vs.
WILLIE RANDOLPH, et al.,
Respondents.

NO. CV-08-220-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
ACTION

Magistrate Judge Hutton filed a Report and Recommendation on August 26, 2008, recommending Mr. Riches's habeas action be dismissed without prejudice as it appeared Petitioner had abandoned this action. Petitioner did not comply with directives to either pay the filing fee or submit an application to proceed *in forma pauperis*. There being no objections, the court **ADOPTS** the Report and Recommendation. The action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Petitioner and close the file.

DATED this 11th day of September, 2008.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE